

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JESSE GREENBERG,

Plaintiff,

v.

LISA WALSH et al.,

Defendants.

3:14-cv-58-RCJ-VPC

ORDER

I. DISCUSSION

On April 3, 2014, this Court issued a screening order permitting Plaintiff's Fourteenth Amendment due process claim and Eighth Amendment conditions of confinement claim to proceed. (ECF No. 3 at 7). This Court also stayed the case for 90 days to give the parties an opportunity to settle their dispute. (*Id.*). The parties engaged in informal settlement discussions but were unable to settle their dispute. (ECF No. 7 at 2). On July 2, 2014, this Court issued an order directing the Clerk of the Court to serve a copy of Plaintiff's complaint on the Office of the Attorney General. (ECF No. 8 at 2). On July 3, 2014, Plaintiff moved for permission to file a first amended complaint. (ECF No. 9 at 1). Plaintiff sought to remove the last two words located on page 7 of his complaint. (*Id.*).

The Court has reviewed Plaintiff's original complaint and the proposed amended complaint. The Court finds that the two complaints are identical other than the two deleted words on page 7 of the amended complaint. (*Compare* ECF No. 4 at 7, *with* ECF No. 9-1 at 7). The deleted words are "vascular necrosis." (*See* ECF No. 4 at 7). The Court finds that the two deleted words do not change the findings made in this Court's April 3, 2014 screening order. As such, this Court grants Plaintiff's motion to file his amended complaint.

1 **II. CONCLUSION**


2 For the foregoing reasons, IT IS ORDERED that the motion for leave to file an
3 amended complaint (ECF No. 9) is GRANTED.

4 IT IS FURTHER ORDERED that the Clerk of the Court shall file the amended complaint
5 (ECF No. 9-1).

6 IT IS FURTHER ORDERED that the Clerk of the Court shall electronically **SERVE** a
7 copy of this order and a copy of Plaintiff's amended complaint (ECF No. 9-1) on the Office of
8 the Attorney General of the State of Nevada, attention Kat Howe.

9 IT IS FURTHER ORDERED that the Office of the Attorney General's Office shall
10 comply with the deadlines outlined in this Court's July 2, 2014 order regarding acceptance of
11 service. However, if the Attorney General accepts service of process for any of the named
12 defendant(s), such defendant(s) shall file and serve an answer or other response to the
13 amended complaint within **sixty (60) days** from the date of this order.

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15 DATED: This 24th day of July, 2014.

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18 United States Magistrate Judge
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